

Bi-Monthly Progress Report – Fiscal Issues and Administrative Barriers

Submitted: February 28, 2021

General Workgroup Summary

This report is submitted pursuant to the Fiscal Issues and Administrative Barriers Court Order filed on July 31, 2020, which requires the State to submit reports on the progress of the Fiscal and Administrative workgroups that were created to make recommendations toward resolving the court order regarding the sixteen administrative burdens. There are five workgroups:

- Group 1 Fiscal Concerns
- Group 2 Eligibility
- Group 3 Appeals
- Group 4 Contracts
- Group 5 Individual Budgets

The following information highlights our progress, our partnerships, and our plans to meet the intent of the Court Order on behalf of the people we serve. This is the third bi-monthly report that we are submitting, and it follows the reports submitted on October 31, 2020 and December 30, 2020. Our next progress update will be submitted by April 30, 2021, and a final report and workplan will be finalized on or before June 30, 2021 as required in the court order.

Each of these five workgroups have met several times and developed a set of proposed recommendations to reduce the administrative burdens of providers and improve the experiences of individuals, their families, and advocates. For the purpose of this endeavor, we are focusing on the changes that can be made under the current reimbursement structure and adding longer term recommendations for any future systematic changes. This will allow us to make recommendations that provide more immediate relief to the current system and can begin to assist providers in reallocating resources toward the future provision of services to adults with developmental disabilities. The separation of longer- and shorter-term changes required some clarification to the workgroups early in this process. The proposal for long term revision of the fiscal and reimbursement system is expected to be developed over the next 18-24 months and implemented by December of 2022.

Each of the workgroups developed specific recommendations for reducing the administrative burdens for their respective assignments. The groups' recommendations were sent to the impacted EOHHS Departments' Directors to be reviewed for feasibility and compliance to provide guidance for the groups to develop a final recommendation. The groups reviewed the comments provided by the Directors and their designees and, where appropriate and consistent with the groups' goals, amended their recommendations.

Workgroup and Subgroup Proposed Recommendations related to the 16 points in the July 2020 Court Order

<u>Fiscal Workgroup Update</u>

The recommendations of the Fiscal Workgroup are intended to reduce the administrative burden on:

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- Adults with disabilities by ensuring that services are not interrupted due to the annual authorizations allowing greater flexibility in service access; increased access to staffing in day programming due to the reduced burden on staff paperwork requirements;
- Providers by eliminating the need to obtain authorizations on a quarterly basis; simplifying the billing process for day programming; and
- State, for the reasons stated above.

Full workgroup meetings: 8/18/20, 8/25/18, 10/1/20, 10/15/20, 10/29/20, 12/7/20, 12/14/20, **2/18/21**

Sub-workgroup meeting: 10/26/20, 11/4/20

Progress Update

Item # 6 Quarterly Authorizations

BHDDH, in collaboration with partnering State agencies, is in the process of implementing an annual authorization process and will issue further guidance and compliance information in by March 31, 2021. This was a recommendation of the workgroup and the group has been updated on progress since October 2020.

Item # 7 Ratios

Simplification of billing for day program services is recommended. (see detail under item #8).

Item #8 Fifteen Minute Billing Units

The recommendations included consolidating ratio billing rates, utilizing one day programming rate, and achieving flexibility in service delivery through flexibility in how billing codes are used.

<u>Contracts Workgroup Update</u>
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The recommendations of the Contracts Workgroup are intended to reduce the administrative burden on:

- Adults with disabilities, providers, and State staff by clarifying and streamlining the ISP and billing processes and therefore reduce repeated questions, frustrations, and errors requiring correction and intervention.

Full workgroup meetings: 8/20/20, 8/27/20, 10/1/20, 10/9/20, 10/15/20, 10/29/10, 12/8/20, 12/15/20

Subgroup meetings: 10/9/20, 10/14/20, 10/21/20, 11/23/20, 12/10/20, 2/23/21

Progress Update:

Item # 15 (Process and Timelines)

By March 31, 2021 the group will create ISP notification letter templates; summarize current DD processes for the purpose of identifying areas that require modification; identify the types of guidance documents and reports that are needed to support adults with disabilities. The letters will be reviewed by the State legal team to ensure compliance with all statutes and regulations.

Item # 16 (Billing procedures)

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By March 31, 2021 the group will present recommendations to BHDDH and Medicaid regarding streamlining billing procedures and the provision of incentives for person-centered approaches to service delivery.

<u>Eligibility Workgroup Update</u>
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The recommendations of the Eligibility Workgroup are intended to reduce the administrative burden on:

- Adults with disabilities by better assessing service needs and reducing the reliance on subsequent appeals; and reducing the need for multiple eligibility applications, such as the financial and program eligibility applications which require similar information;
- Providers by accepting adults with disabilities into their programs with appropriate funding in place and, therefore, not needing to assist individuals through the appeals process; and
- State by reducing the number of appeals to oversee and applications to review and process.

Full workgroup meetings: 8/18/20, 8/25/20, 10/7/20, 10/30/20, 11/4/20, 11/12/20, 2/19/21

Progress Update:

Item # 1 (Determining support needs)

The workgroup recommends that BHDDH expand the initial assessment model to include an assessment tool, criteria, or questions to enhance the SIS-A and capture co-morbidity needs that impact an individual's service needs. The group also recommends that a training program on the SIS-A assessment process for families be developed. Additionally, training needs to be developed to increase cultural awareness during the interview process. The intended outcome of the recommendations is to better utilize the SIS-A interview to more accurately identify individual strengths and support needs. This will help reduce reliance on the appeal process by more accurately identifying support needs and developing individual budgets.

Item # 3 (Consolidate the applications)

The workgroup recommends that the State improve the application assistance process and resources available to help consumers access services through the BHDDH statutory eligibility process and the subsequent Medicaid eligibility process. The goal is to improve upon accurate completion of an applications for services which will help the state improve upon timely review. The group recommends continued partnership with the EOHHS No Wrong Door project for Long Term Services and Supports to help with this application assistance. In addition, the group also advises that the DD application be rewritten in a manner that is easily understood by consumers and families.

Item # 4 (Redetermining Medicaid eligibility more than once)

The workgroup has developed four recommendations to be considered by State Department leaders that address aligning financial eligibility and ISP dates; requesting a CMS waiver for Medicaid redeterminations when there are no changes (similar to the standard applied to SSI recipients); providing on-going application assistance (see above, Item #3); and providing an electronic mechanism to store significant documents for adults with I/DD that can be shared on

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behalf of adults with disabilities so that they do not have to reshare information that already exists in a State database.

Individual Budgets Workgroup – Update

The recommendations of the Individual Budgets Workgroup are intended to reduce the administrative burden on:

- Adults with disabilities by giving them increased control over the money they receive from the state; by providing accessible information in a clear manner; and
- Providers by standardizing allowable costs.

Full workgroup meetings: 8/20/20, 8/27/20, 10/7/20, 10/21/20, 11/4/20, 2/17/21

Progress Update:

Combined discussions on Items # 2 (timeline for developing individual budgets), # 9 (list of functions/activities), # 10 (funding levels), # 11 (guidance)

The workgroup provided long-term and short-term recommendations in these areas. The long-term recommendations referenced a new fiscal model that is in the early stages of development and being overseen by the BHDDH in collaboration with the EOHHS. The short-term recommendations addressed how individual budgets will be reflective of the Department's focus on person-centered planning; improve timelines to service delivery; and improve collaboration among all parties involved in the planning and service delivery process.

Appeals Workgroup – Update

The recommendations of the Appeals Workgroup are intended to reduce the administrative burden on:

- Adults with disabilities, providers, and the State by clarifying and streamlining the process so that it occurs in a manner that is easier to understand and occurs in a timely manner; positive outcomes allow new services to be access in a more timely manner.

Full workgroup meetings: 8/18/20, 8/25/20, 10/5/20, 10/19/20, 11/2/20, 12/8/20, 12/15/20, 12/17/20, 2/18/21

Subgroup meetings: 12/10/20

Progress Update:

Item #5-appeals process Item #13/Item #14 process for appealing funding decisions:

The workgroup developed recommendations to be reviewed by BHDDH and EOHHS leadership for feasibility analysis and decisions. The recommendations included a means for guiding the appellant through the pre-hearing and formal hearing processes; and updating and simplifying relevant documents to clearly identify the person's rights and to clarify the process.

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<u>Conclusion and Next Steps</u>

Each component of the administrative process is a piece to an interconnected puzzle. Several of the proposed recommendations to reduce administrative burdens and improve the overall experience are similar in nature, such as improving the clarity and detail of communications and increasing flexibility in billing procedures. As stated above, the recommendations provided by each group will be reviewed by State Department Directors, who are responsible for Department budgets, and other leaders for feasibility and compliance. Once the final recommendations are analyzed and decisions made, a cohesive workplan will be developed that includes a coordinated list of action items with responsible parties and timelines. The workgroup members will continue to play a vital role in implementing the work plan which will be finalized on or before June 30, 2021 as required by the court order.